

09/24/03

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NIXON & VANDERHYE 703 816 4100 → USPTO

NO. 377

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 912-26

C# M#

LEE et al.

Group Art Unit: 1634

Serial No. 09/697,123

Examiner: D.B. Johannsen

Filed: October 27, 2000

Date: September 22, 2003

Title: RPOB GENE FRAGMENTS AND A METHOD FOR THE DIAGNOSIS AND
IDENTIFICATION OF MYCOBACTERIUM TUBERCULOSIS AND NON-
TUBERCULOSIS MYCOBACTERIAL STRAINS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL AMENDMENT UNDER 37 CFR §1.111

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 3 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 1 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: 

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FOR: RPOB GENE FRAGMENTS AND A METHOD FOR THE DIAGNOSIS AND IDENTIFICATION OF MYCOBACTERIUM TUBERCULOSIS AND NON-TUBERCULOSIS MYCOBACTERIUM STRAINS

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SUPPLEMENTAL AMENDMENT UNDER 37 CFR § 1.111

September 22, 2003

U.S. Patent and Trademark Office

MS Non-Fee Amendment

Arlington, VA 22202

Sir:

Further to the Amendment filed July 15, 2003, entry and consideration of the following amendments and remarks are respectfully requested.

The **claims** are presented on pages 2-3.

Claims 2-3 are amended.

Claim 1 is canceled without prejudice or disclaimer.

Remarks begin on page 4.